

REMARKS

Pursuant to the Examiner's Election/Restriction requirement, Applicants' attorneys elect species 3 which includes claims 1-4, 7-24, and 27-38, as discussed in the telephone conference of 4/12/05. The election/restriction is made without traverse. Claims 1-4, 7-17, 19-24 and 27-38 are currently in this application, with claims 1, 12-13, 15-16, 21, 24, 32-33, and 35-36-10 having been amended, claims 5-6 and 25-26 having been withdrawn, claim 18 having been cancelled and claims 39 and 40 added by these amendments.

The Examiner has rejected claims 12, 18, and 32 under 35 U.S.C. § 112, second paragraph, as being indefinite. It is submitted that the amendments to claims 12 and 32 have addressed these rejections. In addition, claim 18 has been cancelled. Accordingly, it is requested that these rejections be withdrawn.

The Examiner has rejected claims 1-4, 7-8, 11-16, 19-22, 24, 27-28, and 31-36 under 35 U.S.C. § 102(b) as anticipated by or in the alternative under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,432,850 to Takagi et al. The Examiner has also rejected claims 9-10, 23, 29-30, and 38 under 35 U.S.C. § 103(a) as unpatentable over Takagi in view of U.S. Patent No. 4,803,096 to Kuhn et al. Further the Examiner rejects claims 17-18 and 37 as unpatentable under 35 U.S.C. § 103(a) over Takagi. Finally, the Examiner rejects claims 11-18, and 31-37 as unpatentable over Takagi in view of U.S. Patent No. 6,093,491 to Dugan.

Independent claim 1 for example recites:

A conductive industrial fabric comprising a plurality of polymeric filaments having one or more C-shaped grooves formed therein . . .

It is respectfully submitted that Takagi does not include any teachings of a "conductive industrial fabric." Industrial fabrics are explained in the specification including on page 4 thereof and are just that, fabrics used in industrial applications. In contrast, the fabric of Takagi

is for making dust proof clothing. It is respectfully submitted that these two fields of endeavour are so disparate as to make comparison of the teachings of one irrelevant to the other. One of skill in the art will readily appreciate the unique aspects of industrial fabrics and therefore the utility “having static dissipation properties comparable to metal-based fabrics whilst being resistant to dents and creases” as recited in claim 1. Indeed, one of skill in the art would readily appreciate that a fabric for use in clothing would by necessity dent and crease, which though desirable in the context of clothing to be worn on ones person to allow for mobility, is very detrimental for industrial fabrics as defined in the instant application. Accordingly, not only does the fabric of Takagi not have the attributes of the claim 1 of the instant application, it expressly teaches away from elements of claim 1 directed to resisting denting and creasing.

Further, Takagi does not teach anything about C-shaped grooves. The examiner relies on Fig. 1 as allegedly teaching C-shaped grooves. This is incorrect. At best the grooves referenced by the Examiner are V or U shaped, and therefore are patentably distinct from the C-shaped grooves recited in claim 1.

Moreover, on page 9 of the Office Action, the Examiner alternatively argues even if it is shown that Takagi does not teach or suggest monofilaments having C-shaped grooves, Dugan discloses that it is known in the art to use C-shaped grooves to entrap material inside the polymer fiber (monofilament) for increased durability and cites to column 4, lines 45-58 of Dugan for support. The cited section, however, refers to adding a hydrophilic material to the fiber polymer in its molten state to physically entrap the hydrophilic material inside the fiber polymer. This is not the same as the Examiner’s assertion that the cited section relates to physically entrapping the hydrophilic material within the open channels of the fiber. Thus Dugan does not overcome

the short comings of Takagi with regard to the shape of the grooves or its mechanical interlock capabilities.

Still further, claim 1 recites “wherein each filament includes electrically conductive polymer material incorporated as either a blend or a coating.” Contrary to the Examiner’s assertion, there is no teaching in Takagi of a blend or coating as recited in claim 1. As described therein Takagi utilizes a core filament yarn which is then covered “with conductive bicomponent fibers.” This is not a coating, rather it is a combination of filaments onto a core fiber. It is respectfully submitted that this is not the same and cannot be equated with the fabric described in claim 1 of the instant application.

For at least these reasons it is submitted that claim 1 of the instant application as amended patentably distinguishes over Tagaki either alone or in combination with Kuhn or Dugan. Accordingly, it is submitted that claim 1 is allowable. For similar or somewhat similar reasons, independent claim 24 also patentably distinguishes over the cited references and is allowable. Dependent claims 2-4, 7-17, 19-23, and 27-40 depend from one of the allowable base claims and are therefore allowable therewith.

Conclusion

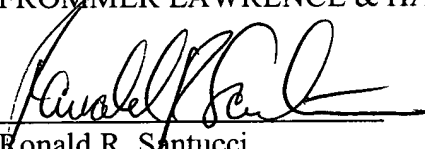
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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